

Appl. No. : 10/668,886

Amdt. dated : 10/10/2004

Reply to office action of 09/16/2004

Remarks / Arguments

Although I have withdrawn my previous claims 1 & 2 , I would offer these remarks to retard farther actions.

In response to the reference of Tabbert (us-4,673,174) . The upper & lower arms, item numbers 14 & 16 respectively are pivotal at points 50 & 64 as is consistent with the prior art of Kalkbrenner (us-4,601,221) claim 2 and of a tool currently sold under the Trademark of Vise Grip. The upper & lower jaws , item numbers 22 & 24 respectively are comprised of clamp members numbered 78 , 80 , 110 & 112 and would only be considered pivotal when items numbered 90 , 92 , 124 & 126 are left loose, thereby rendering the tool unable to function, thereby actually being adjustable rather than pivotal. In Fig. 3 (the frontal view) items numbered 90 , 92 , 124 & 126 would be considered in the "X" axial plane, in this respected field of the invention. The same frontal view of my invention would reveal that the jaws (items numbered 7 & 8) are attached at points numbered 30 & 31 and would be considered attached in the "Y" axial plane.

In response to the reference of Kalkbrenner (us-4,601,221) Claim 1 states his invention is for holding a single workpiece . Claim 4 of mine states that it will hold multiple workpieces. Kalkbrenner's claim 1a states his invention has two oppositely-facing L-shaped jaws. Claim 5 of my invention states the jaws are conversed angularly with respect to one another. Also, from Fig. 2 of my drawings it can be seen that the jaws (items 7 & 8) are basically a V-shape.

In response to the remaining references cited : Dahl (us-5,456,144), Domenge (us-6,401,578), Parker (us-3,202,023) I would argue that none of them, either in the shape of each of their respective jaws, nor in the angle of each of their respective jaws that workpiece(s) would be held, nor in any of their wording in their claims of what the respective inventions are intent on doing, does my invention impinge on.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted

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